

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

KENT GARVEY, ALBERT OVERHAUSER,
JAMES T. MARSH, AND THOMAS
LOVELESS, ON BEHALF OF THEMSELVES
AND ALL OTHERS SIMILARLY SITUATED,

Plaintiffs,

JAMES ARKOOSH AND DIOMED
HOLDINGS, INC.,

Defendants.

Master File No. 1:04-cv-10438 (RGS)

Declaration of Laurence Rosen, Esq. In Support
of Request of Judicial Notice –Opposition to
Motion To Dismiss

I, Laurence M. Rosen, hereby declare under penalty of perjury:

1. I am a member of The Rosen Law Firm P.A., Lead Counsel in this action. I make this declaration based upon my own personal knowledge and in support of Lead Plaintiffs Memorandum in Opposition to the Motion to Dismiss the Amended Complaint.

2. Attached hereto is a true and correct copy of the daily stock trading data for Diomed Holdings, Inc. that I obtained from Wallstreetcity.com for the period from February 14, 2002 through March 22, 2002.

I declare under the penalty of perjury that the foregoing is true and correct.

Executed on November 19, 2004, at New York, New York.



Laurence M. Rosen, Esq.